

(42)

00-R-0603

Entered - 01/13/00 - sb
CL00L0025 - MICHAEL A. REEVES

CLAIM OF: ANTHONY HARVEY,
through his attorney,
Alan C. Harvey
309 Sycamore Street
Atlanta, Georgia 30030

For damages alleged to have been sustained as a
result of a vehicular accident on October 20, 1999
at 1115 Ralph David Abernathy Boulevard, SW.

THIS ADVERSED REPORT IS
APPROVED

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

ADVERSED REPORT

COM P.S. v. H.A.

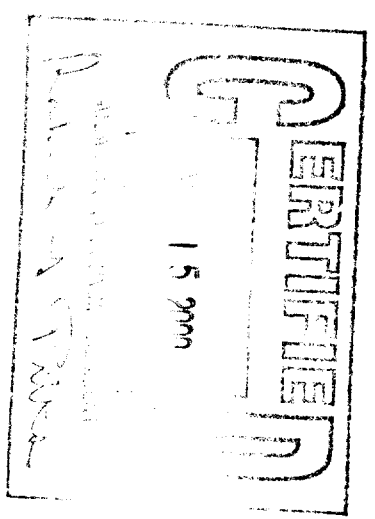
DATE 5/9/00

CHM C.F. Martin

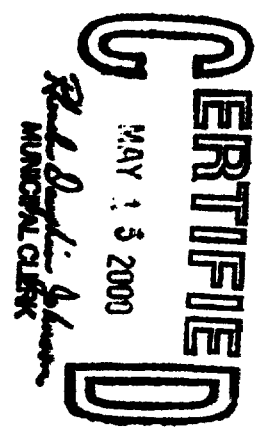
Darryl Akell

John [unclear]

Michael [unclear]



ADVERSED BY
CITY COUNCIL MAY 15 2000





OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

June 13, 2000

Anthony Harvey
Attorney at Law
309 Sycamore Street
Atlanta, GA 30030

00-R-0603

RE: Anthony Harvey

Dear Attorney Harvey:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on January 03, 2000. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: **Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0025

Date: April 19, 2000

Claimant /Victim ANTHONY HARVEY
BY: (Atty) Alan C. Harvey
Address: 309 Sycamore Street, Decatur, Georgia 30030
Subrogation: Claim for Property damage \$ Bodily Injury \$ not stated
Date of Notice: 10/20/99 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 10/20/99 Place: 1115 Ralph D. Abernathy Boulevard, SW
Department None Division:
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges he was injured in an accident involving a City vehicle. The investigation determined that the vehicle was owned by the State of Georgia, Department of Transportation and was driven by its employee. The claimant's attorney has been advised to pursue his claim with the State of Georgia.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report Other
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

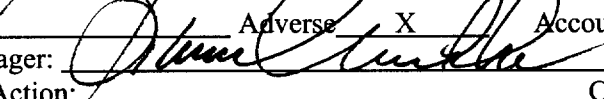
BASIS OF RECOMMENDATION:

Function: Governmental Ministerial
Improper Notice More than Six Months Other Damages reasonable
City not involved X Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

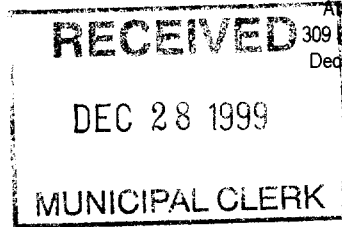

INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager:  Concur/date 04-19-00
Committee Action: Council Action

ALAN C. HARVEY

Reeves
01/12/00
d



Attorney at Law
309 Sycamore Street
Decatur, GA 30030

ENTERED - 1-13-00 - SB
00L0025 - MIKE REEVES

ALAN C. HARVEY

Office: 404 373-4562
Fax: 404 378-0717
E-mail: AlanHar@aol.com

December 22, 1999

Council of the City of Atlanta
Municipal Clerk
City Hall
55 Trinity Avenue, SW
Atlanta, GA 30335

Via certified mail # Z 376 160 608

Re: Anthony Harvey

Dear Clerk:

Enclosed you will find the claim for damages form concerning the injuries Mr. Harvey sustained on October 20, 1999. This letter and enclosed form shall serve as the notice required under O.C.G.A. § 36-33-5 for claims for bodily injury and property damage. As to the property damage to the car, the car is titled in the name of Claude Harvey, father of Anthony Harvey.

Please be advised that Mr. Larry Hendricks, 404-675-1208, of Allstate Insurance Company is handling the property damage for the Harvey's and Allstate will have a subrogation against the city for the amounts paid plus the Harvey's deductible. Allstate claim # 4094989607.

I look forward to hearing from the appropriate person concerning the bodily injury claim within the time required by O.C.G.A. § 36-33-5(c) so that I may provide more detailed information concerning Mr. Harvey's claim.

Very truly yours,

A handwritten signature in dark ink, appearing to be "Alan C. Harvey", with a large, stylized flourish at the end.

Alan C. Harvey

Enclosure

Cc: Mr. Anthony Harvey
Mr. Larry Hendricks (via fax 404-675-1194)

00-*R*-0603

COUNCIL PRESIDENT PROTEM DEBI STARNES PRESIDED

RCS# 1952
5/15/00
4:01 PM

Atlanta City Council

Regular Session

CONSENT AGENDA PAGES (1 - 11)

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

NV McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	NV Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
00-O-0654
00-O-0396
00-R-0329

COUNCIL PRESIDENT PITTS
ABSTAINED ON 00-O-0523

COUNCILMEMBER MARTIN
ABSTAINED ON 00-R-0660

05/15/00 Council Meeting	
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
<ol style="list-style-type: none"> 1. 00-O-0204 2. 00-O-0523 3. 00-O-0649 4. 00-O-0650 5. 00-O-0255 6. 00-O-0397 7. 00-O-0398 8. 00-O-0568 9. 00-O-0050 10. 00-O-0530 11. 00-O-0531 12. 00-O-0656 13. 00-O-0378 14. 00-O-0651 15. 00-O-0652 16. 00-O-0657 17. 00-O-0664 18. 00-O-0665 19. 00-R-0623 20. 00-R-0633 21. 00-R-0678 22. 00-R-0399 23. 00-R-0400 24. 00-R-0587 25. 00-R-0624 26. 00-R-0660 27. 00-R-0591 28. 00-R-0692 29. 00-R-0597 30. 00-R-0621 31. 00-R-0622 32. 00-R-0629 33. 00-R-0630 	<ol style="list-style-type: none"> 34. 00-R-0598 35. 00-R-0599 36. 00-R-0600 37. 00-R-0601 38. 00-R-0602 39. 00-R-0603 40. 00-R-0604 41. 00-R-0605 42. 00-R-0606 43. 00-R-0607 44. 00-R-0608 45. 00-R-0609 46. 00-R-0610 47. 00-R-0611 48. 00-R-0612 49. 00-R-0613 50. 00-R-0614 51. 00-R-0615 52. 00-R-0616 53. 00-R-0617 54. 00-R-0618 55. 00-R-0619 56. 00-R-0620 57. 00-R-0627 58. 00-R-0628 59. 00-R-0631 60. 00-R-0632